GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Services – Agriculture & Cooperation Department – Disciplinary Cases - Misappropriation of Government funds to a tune of Rs.6,46,000/-, deviating certain Articles of A.P. Financial Code - Prima facie established – Initiation of disciplinary action against Sri G. Kennedy, the then Asst. Director of Agriculture (STL) (I/c.), Gollapudi, NTR District and presently working as Assistant Director of Agriculture (R),Tiruvuru, NTR District, under A.P. Civil Services (CC&A) Rules, 1991 – Issuance of Articles of Charge – Orders - Issued.

AGRICULTURE AND CO-OPERATION (VIG.I) DEPARTMENT

G.O.RT.No. 607 **Dated: 03-10-2024**

Read the following:

1. From the Special Commissioner of Agriculture, A.P., Guntur, Lr.No.Vig.I(I) AGC02-32026(32)/4/2023, dt.28.08.2023.
2. Govt.Memo.No.AGC01-AGRI/331/2023, A & C (Vig.I) Dept., dt.13.09.2023.
3. From the Special Commissioner of Agriculture, A.P., Guntur, Lr.No.Vig.I(I) AGC02-32026(32)/4/2023, dt.22.04.2024.
4. Govt.Memo.No.AGC01-AGRI/331/2023, A & C (Vig.I) Dept., dt.10.08.2024.
5. From the Special Commissioner of Agriculture, A.P., Guntur, Lr.No.Vig.I(I) AGC02-32026(32)/4/2023, dt.13.09.2024.

-oo0oo-

O R D E R:

In supersession of the Charge Memo.No.Vig.I(1)-32026(32)/4/2023, dt.17.06.2023 of the special Commissioner of Agriculture, A.P., Guntur, it is proposed to hold an enquiry against Sri G. Kennedy, the then Asst. Director of Agriculture (STL) (I/c.), Gollapudi, NTR District and presently working as Assistant Director of Agriculture (R) Tiruvuru, NTR District, with regard to misappropriation of Government funds to a tune of Rs.6,46,000/-, deviating certain Articles of A.P. Financial Code, in accordance with the procedure laid down in Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Articles of Charge (Annexure-I), Statement of imputations of misconduct or misbehavior on which action is proposed to be taken against him as Annexure-II, a list of documents by which and a list of witnesses by whom the Article of Charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Sri G. Kennedy, the then Asst. Director of Agriculture (STL) (I/c.), Gollapudi, NTR District and presently working as Assistant Director of Agriculture (R) Tiruvuru, NTR District, is directed to submit a Written Statement of Defense (WSD) within (10) days of the receipt of this order.

4. Sri G. Kennedy, the then Asst. Director of Agriculture (STL) (I/c.), Gollapudi, NTR District and presently working as Assistant Director of Agriculture (R) Tiruvuru, NTR District, is informed that an inquiry will be held only in respect of those Articles of Charge as are not admitted. He should, therefore, specifically admit or deny each Articles of Charge.

5. Sri G. Kennedy, the then Asst. Director of Agriculture (STL) (I/c.), Gollapudi, NTR District and presently working as Assistant Director of Agriculture (R) Tiruvuru, NTR District, is further informed that if he does not submit his Written Statement of Defense (WSD) on or before the date specified in para-3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of A.P. Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him ex-parte.

(P.T.O.)

6. Attention of Sri G. Kennedy, the then Asst. Director of Agriculture (STL) (I/c), Gollapudi, NTR District and presently working as Assistant Director of Agriculture (R) Tiruvuru, NTR District, is invited to rule 24 of the A.P. Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A. P. Civil Service (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
Sri G. Kennedy, Assistant Director of Agriculture (R) Tiruvuru, NTR District
(through the Director of Agriculture, A.P., Guntur)

Copy to:
The Director of Agriculture, A.P., Guntur.
(With a request to serve the original G.O. on the Charged Officer and obtain his dated acknowledgement on the Xerox copy and furnish the same along with his Written Statement of Defense (WSD) to the Government)
Sf/Sc.

// FORWARDED BY ORDER//

SECTION OFFICER

(Contd. Annexures...)

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI G. KENNEDY, THE THEN ASSISTANT DIRECTOR OF ARICULTURE (I/c.) STL, GOLLAPUDI, NTR DISTRICT AND PRESENTLY WORKING AS ASSISTANT DIRECTOR OF ARICULTURE (R) TIRUVURU, NTR DISTRICT:

Articles of Charge:

"That, Sri G. Kennedy, while working as Assistant Director of STL Gollapudi (I/c.), has withdrawn an amount of Rs.6,46,000/- in different spells from 12.04.2021 to 30.11.2021 from the Agriculture Funds allotted for different purposes of the Lab and spent towards electrical repairs of the AMC (Marketing Dept.) building and installation of separate transformer for it, for which he is in no way concerned.

Further, he has given the above said Rs.6,46,000/- as advance to M/s. AB Services India (Service Provider), Penamaluru Mandal, without approval of higher authorities and in deviation of Articles – 3 & 5 of A.P. Financial Code. He has remitted back the above said amount on 22.07.2022 to the STL account, when the purpose is not served.

Thus, Sri G. Kennedy has failed in discharging his legitimate duties and the misappropriation of the said Govt. Funds of Rs.6,46,000/- proves his 'misconduct', which attracts violation of Rule-3 of A.P. Civil Services (Conduct) Rules 1964.

Sd/- B. RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

(P.T.O.)

ANNEXURE-II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MIS-BEHAVIOR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI G. KENNEDY, THE THEN ASSISTANT DIRECTOR OF ARICULTURE (I/c.) STL, GOLLAPUDI, NTR DISTRICT AND PRESENTLY WORKING AS ASSISTANT DIRECTOR OF ARICULTURE (R) TIRUVURU, NTR DISTRICT:

A news item under the caption **"Bhusaara Pareeksha Kendram Nidhula Pakkadaari"** was published in Eenadu daily newspaper, Dt.23.08.2022, with regard to misappropriation of Government funds by Sri G. Kennedy, the then (In Charge) Assistant Director of Agriculture, STL, Gollapudi, NTR District. In this regard, the DAO, NTR District has informed that an amount of Rs.6,46,000/- has been withdrawn by the Asst.Director of Agriculture (FAC) STL, Gollapudi in (05) different spells from 12.04.2021 to 30.11.2021 without getting prior permission from the higher officers and the same amount was given as advance to M/s. AB Services India (Service Provider) Penamaluru Mandal, Vijayawada towards the repairing of Electrical works in STL, Gollapudi and installation of separate Transformer. The amount was remitted back in later date i.e., 22.07.2022 to the STL account, Gollapudi by the individual.

The preliminary inquiry report reveals that, Sri G. Kennedy, the then Assistant Director of Agriculture (I/c.), STL, Gollapudi, NTR District has failed to discharge his legitimate duties and violated Articles – 3 & 5 of A.P. Financial Code while withdrawing the above said amount of Rs.6,46,000/- from Agriculture Dept. Funds and giving advance to M/s. AB Services India (Service Provider) Penamaluru Mandal, Vijayawada towards repairing electrical works in STL, Gollapudi and installation of separate Transformer for AMC (Marking Dept.)Building. Thus, he has spent Agriculture Funds for the repairs of Marketing Dept., without obtaining orders from the higher authorities.

From the above, it is clear that, Sri G.Kennedy, the then Assistant Director of Agriculture (I/c.), STL, Gollapudi, NTR District has failed in discharging his legitimate duties and the misappropriation of the above said Govt. Funds proves his 'misconduct', which attracts violation of Rule-3 of A.P. Civil Services (Conduct) Rules 1964.

Sd/- B. RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

(Contd.p.3)

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI G. KENNEDY, THE THEN ASSISTANT DIRECTOR OF ARICULTURE (I/c.) STL, GOLLAPUDI, NTR DISTRICT AND PRESENTLY WORKING AS ASSISTANT DIRECTOR OF ARICULTURE (R) TIRUVURU, NTR DISTRICT IS PROPOSED TO BE SUSTAINED.

Inquiry report Dt:22.04.2024 of Sri V. Sridhar, JDA(RBKs), O/o. C&DA, AP Guntur (on OD).

Sd/- B. RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI G. KENNEDY, THE THEN ASSISTANT DIRECTOR OF ARICULTURE (I/c.) STL, GOLLAPUDI, NTR DISTRICT AND PRESENTLY WORKING AS ASSISTANT DIRECTOR OF ARICULTURE (R) TIRUVURU, NTR DISTRICT IS PROPOSED TO BE SUSTAINED.

- NIL -

Sd/- B. RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER